

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 156, between lines 30 and 31, begin a new paragraph and
2 insert:
3 "SECTION 159. IC 6-1.1-17-20, AS AMENDED BY P.L.1-2006,
4 SECTION 136, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) This section applies:
6 (1) to each governing body of a taxing unit that is not comprised
7 of a majority of officials who are elected to serve on the
8 governing body; and
9 (2) if the **percentage increase in the proposed property tax levy:**
10 ~~(A) budget~~ for the taxing unit ~~(other than a public library)~~ for
11 the ensuing calendar year is more than five percent (5%)
12 greater than the property tax levy for the taxing unit for the
13 current the result of:
14 **(A) the assessed value growth quotient determined under**
15 **IC 6-1.1-18.5-2 for the ensuing** calendar year; ~~or minus~~
16 (B) for the operating budget of a public library for the ensuing
17 calendar year is more than five percent (5%) greater than the
18 property tax levy for the operating budget of the public library
19 for the current calendar year: **one (1).**
20 (b) As used in this section, "taxing unit" has the meaning set forth
21 in IC 6-1.1-1-21, except that the term does not include:
22 (1) a school corporation; or
23 (2) an entity whose tax levies are subject to review and
24 modification by a city-county legislative body under IC 36-3-6-9.
25 (c) ~~This subsection does not apply to a public library. If:~~
26 ~~(1) the assessed valuation of a taxing unit is entirely contained~~
27 ~~within a city or town; or~~
28 ~~(2) the assessed valuation of a taxing unit is not entirely contained~~
29 ~~within a city or town but the taxing unit was originally established~~
30 ~~by the city or town;~~
31 The governing body shall submit its proposed budget and property tax

levy to the ~~city or town~~ **county** fiscal body **in which the greatest percentage of the taxing unit's net assessed value is located.** The proposed budget and levy shall be submitted at least fourteen (14) days before the city or town fiscal body is required to hold budget approval hearings under this chapter.

~~(d) This subsection does not apply to a public library. If subsection (c) does not apply, the governing body of the taxing unit shall submit its proposed budget and property tax levy to the county fiscal body in the county where the taxing unit has the most assessed valuation. The proposed budget and levy shall be submitted at least fourteen (14) days before the county fiscal body is required to hold budget approval hearings under this chapter.~~

~~(e) This subsection applies to a public library. The library board of a public library subject to this section shall submit its proposed budget and property tax levy to the fiscal body designated under IC 36-12-14.~~

~~(f) (d) Subject to subsection (g), The A county fiscal body of the city, town, or county (whichever applies) or the fiscal body designated under IC 36-12-14 (in the case of a public library) shall review each budget and proposed tax levy and adopt a final budget and tax levy for the taxing unit. The county fiscal body may reduce or modify but not increase the proposed budget or tax levy.~~

~~(g) A fiscal body's review under subsection (f) is limited to the proposed operating budget of the public library and the proposed property tax levy for the library's operating budget."~~

Page 599, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 691. IC 36-3-6-9, AS AMENDED BY P.L.1-2006, SECTION 561, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The city-county legislative body shall review the proposed operating and maintenance budgets and tax levies and adopt final operating and maintenance budgets and tax levies for each of the following entities in the county:

(1) An airport authority operating under IC 8-22-3.

(2) A public library operating under IC 36-12.

(3) A capital improvement board of managers operating under IC 36-10.

(4) A public transportation corporation operating under IC 36-9-4.

Except as provided in subsection (c), the city-county legislative body may reduce or modify but not increase a proposed operating and maintenance budget or tax levy under this section.

(b) The board of each entity listed in subsection (a) shall, after adoption of its proposed budget and tax levies, submit them, along with detailed accounts, to the city clerk before the first day of September of each year.

(c) The city-county legislative body may review the issuance of bonds of an entity listed in subsection (a), but, **except as provided in IC 6-1.1-20 after December 31, 2008**, approval of the city-county

legislative body is not required for the issuance of bonds. The city-county legislative body may not reduce or modify a budget or tax levy of an entity listed in subsection (a) in a manner that would:

(1) limit or restrict the rights vested in the entity to fulfill the terms of any agreement made with the holders of the entity's bonds; or

(2) in any way impair the rights or remedies of the holders of the entity's bonds.

(d) If the assessed valuation of a taxing unit is entirely contained within an excluded city or town (as described in IC 36-3-1-7) that is located in a county having a consolidated city, the governing body of the taxing unit shall submit its proposed operating and maintenance budget and tax levies to the city or town fiscal body for approval.

(e) The city-county legislative body may review and modify the operating and maintenance budgets and the tax levies of a health and hospital corporation operating under IC 16-22-8. If the **percentage increase in the total of all proposed property tax levies budget** for the health and hospital corporation for the ensuing calendar year is more than five percent (5%) ~~greater than the total of all property tax levies for the health and hospital corporation for the current the result of:~~

(1) the assessed value growth quotient determined under IC 6-1.1-18.5-2 for the ensuing calendar year; minus

(2) one (1);

the city-county legislative body shall review the proposed budget and the tax levies of the health and hospital corporation and shall adopt the final budget and tax levies for the health and hospital corporation. Except as provided in subsection (c), the city-county legislative body may reduce or modify but not increase the health and hospital corporation's proposed operating and maintenance budget or tax levy under this section. The board of the health and hospital corporation shall, after adoption of its proposed budget and tax levies, submit them, along with detailed accounts, to the city clerk before the first day of September of each year."

Page 746, after line 42, begin a new paragraph and insert:

- 1 "SECTION 799. IC 36-12-14 IS REPEALED [EFFECTIVE UPON
- 2 PASSAGE].".
- 3 Renumber all SECTIONS consecutively.
(Reference is to EHB 1001 as printed February 20, 2008.)

Senator KENLEY